

Message Text

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10

ORIGIN L-03

INFO OCT-01 AF-10 ARA-16 EUR-25 NEA-14 IO-14 ISO-00 SS-20

AID-20 PM-07 CIAE-00 H-03 INR-10 NSAE-00 NSC-07 PA-04

RSC-01 PRS-01 SP-03 USIA-15 /174 R

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AID/GC:AZGARDINER (DRAFT)

ARA/LA:HWSHLAUDEMAN (DRAFT)

EUR:WSTABLER (DRAFT)

PM/SAS:RGREY (DRAFT)

ARA/LA:HKLEINE (DRA)

AA/AFR:SCADAMS, JR. (DRAFT)

AF/RA:JWWALKER (DRAFT)

S/S - MR. FRY

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R 121857Z JUL 74

FM SECSTATE WASHDC

TO AMEMBASSY ABIDJAN

AMEMBASSY ACCRA

AMEMBASSY ADDIS ABABA

AMEMBASSY ASUNCION

AMEMBASSY BAMAKO

AMEMBASSY BOGOTA

AMEMBASSY BRASILIA

AMEMBASSY BUENOS AIRES

AMEMBASSY CARACAS

AMEMBASSY CONAKRY

AMEMBASSY DAKAR

AMEMBASSY DAR ES SALAAM

AMEMBASSY FREETOWN

AMEMBASSY GEORGETOWN

AMEMBASSY GUATEMALA

AMEMBASSY HELSINKI

AMEMBASSY KHARTOUM

AMEMBASSY KINGSTON

AMEMBASSY KINSHASA

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AMEMBASSY LAGOS

AMEMBASSY LA PAZ
AMEMBASSY LIMA
AMEMBASSY LISBON
AMEMBASSY MADRID
AMEMBASSY MANAGUA
AMEMBASSY MBABANE
AMEMBASSY MEXICO
AMEMBASSY MONROVIA
AMEMBASSY MONTEVIDEO
AMEMBASSY NAIROBI
AMEMBASSY NIAMEY
AMEMBASSY NOUAKCHOTT
AMEMBASSY PANAMA
AMEMBASSY QUITO
AMEMBASSY RABAT
AMEMBASSY SAN JOSE
AMEMBASSY SAN SALVADOR
AMEMBASSY SANTIAGO
AMEMBASSY SANTO DOMINGO
AMEMBASSY TEGUCIGALA
AMEMBASSY TUNIS
USMISSION USUN NY
AMEMBASSY VIENNA
AMEMBASSY YAOUNDE
AMEMBASSY ATHENS
AMEMBASSY OUAGADOUGOU
INFO USCINCEUR
USCINCSO
CINCPAC
DOD

C O N F I D E N T I A L STATE 150955

MO. 11652: GDS
TAGS: PINS

SUBJECT: FAA SECTION 32 - POLITICAL PRISONERS

REF: STATE 68545

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1. REFTEL PROVIDED TEXT OF ECTION 32 AND ASKED ADDRESSEES ASSESS HOW IT COULD AFFECT ASSISTANCE PROGRAMS IN THEIR COUNTRIES, AND PROBABLE EFFECT OF DENYING ECONOMIC OR MILITARY ASSISTANCE ON BASIS OF THAT PROVISION.

2. IN CONGRESSIONAL HEARINGS ON CURRENT AID LEGISLATION, QUESTION OF SECTION 32 HAS BEEN BROACHED REPEATEDLY,

WITH STATE/AID WITNESSES BEING ASKED WHAT HAS BEEN DONE TO CARRY OUT THIS PROVISION. WE HAVE STATED THAT POSTS HAVE BEEN CIRCULARIZED, HAVE RESPONDED, AND THAT ON BASIS OF THOSE RESPONSES WE ARE EVALUATING SITUATION AND CONSIDERING HOW BEST TO PROCEED. WE HAVE ALSO NOTED DIFFICULTIES OF DEFINING "POLITICAL PRISONERS", DISADVANTAGES OF TERMINATING AID, AND RELATIVE EFFECTIVENESS OF ALTERNATIVE APPROACHES, BEGINNING WITH QUIET REPRESENTATIONS ON HUMAN RIGHTS MATTERS TO FOREIGN GOVERNMENTS.

3. WE ARE CURRENTLY REVIEWING ENTIRE AREA OF HUMAN RIGHTS AND AUTHORITARIANISM IN LIGHT OF SERIOUSNESS WITH WHICH PROBLEM OF POLITICAL PRISONERS AND UNDERLYING HUMAN RIGHTS PROBLEMS ARE VIEWED BY CONGRESS, OUR OBLIGATIONS UNDER INTERNATIONAL LAW TO PROMOTE RESPECT FOR AND OBSERVANCE OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, ALL RELEVANT US INTERESTS, ECONOMIC, STRATEGIC OR OTHER, INCLUDING CONSTRAINTS IMPOSED BY OUR WORLDWIDE RESPONSIBILITIES AND OUR VARIED INTERESTS IN COUNTRIES CONCERNED, ESPECIALLY WITH RESPECT TO WAYS IN WHICH TO HONOR OUR OBLIGATIONS CONSISTENT WITH OUR RESPONSIBILITIES AND INTERESTS.

4. IN MEANTIME, HOWEVER, WE BELIEVE THAT WHERE NOT ALREADY ACCOMPLISHED, THE ADDITIONAL STEP CAN AND SHOULD BE TAKEN OF INFORMING HOST GOVERNMENTS OF TEXT OF SECTION 32 IN CONTEXT OTHER FAA PROVISIONS REFERRED TO PARA 4 REFTEL AND OF CONGRESSIONAL SENTIMENT SUCH PROVISIONS REFLECT. THEREFORE, UNLESS EMBASSY STRONGLY BELIEVES SUCH ACTION WOULD BE COUNTER-PRODUCTIVE, OR STEP ALREADY ACCOMPLISHED AS WE KNOW IT HAS BEEN IN SOME CASES YOU SHOULD PROVIDE HOST GOVERNMENT WITH TEXT

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OF SECTION 32. (CONTAINED PARA 2 REFTEL) IN SO DOING YOU SHOULD EXPLAIN THAT, WHILE "SENSE OF CONGRESS" PROVISION IS NOT A MANDATORY REQUIREMENT UPON THE PRESIDENT, INsofar AS IT EXPRESSES CONTINUING CONGRESSIONAL INTENT AND CONCERN, NOT ONLY WITH POLITICAL PRISONERS, BUT GENERALLY WITH HUMAN RIGHTS IMPLICATIONS OF US FOREIGN POLICY, IT COULD WELL AFFECT APPROPRIATION OF FUNDS FOR ASSISTANCE PROGRAMS AND IT THEREFORE DESERVES SERIOUS CONSIDERATION BY HOST GOVERNMENT. YOU SHOULD ALSO MAKE CLEAR THAT HOST GOVERNMENT IS NOT BEING SINGLED OUT; ALL AID RECIPIENT GOVERNMENTS ARE BEING INFORMED OF PROVISION AND ITS POSSIBLE IMPLICATIONS FOR ASSISTANCE PROGRAMS.

5. POSTS SHOULD REFER TO REFTEL (INCLUDING

EXPLANATION OF AREAS OF OUR SPECIAL CONCERN AS OUT-LINED IN PARA 5) IN MAKING REPRESENTATIONS. LEAVE TO POSTS THE LEVEL AND SCOPE OF REPRESENTATIONS IN VIEW OF WIDELY VARYING CIRCUMSTANCES AMONG INDIVIDUAL COUNTRIES. HOWEVER, EMBASSY REPRESENTATIONS SHOULD BE DESIGNED TO IMPRESS UPON HOST GOVERNMENT SERIOUSNESS OF US INTEREST. SINCE AID LEGISLATION HEARINGS ARE STILL IN PROGRESS, WE WOULD APPRECIATE EARLY REPORT OF ACTION TAKEN AND HOST GOVERNMENT REACTION.

6. SUBSTANTIALLY SAME INSTRUCTIONS ALREADY TRANSMITTED POSTS AID RECIPIENT COUNTRIES IN EAST ASIA AND DEPT

AWARE SEVERAL ARA GOVERNMENTS ALREADY NOTIFIED. KISSINGER

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Message Attributes

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